9-14-04

Please type a plus sign (+) inside this box +

PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/594,221				
Filing Date	Jun 14, 2000				
First Named Inventor	Horowitz				
Group Art Unit	2631				
Examiner Name	PHU, PHUONG M				
Attorney Docket Number	RB1-003US				

	ENCLOSURES (check all that apply)			
Fee Transmittal Form	Assignment Papers After Allowance Communication to Group			
Fee Attached	Drawing(s)  Sheets  Appeal Communication to Board of Appeals and Interferences			
Amendment / Reply	Licensing-related Papers  Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
After Final	Petition Proprietary Information			
Affidavits/declaration(s)	Petition to Convert to a Provisional Application  Status Letter			
Extension of Time Request	Power of Attorney, Revocation Change of Correspondence Address  Other Enclosure(s) (please identify below):			
Express Abandonment Request	Terminal Disclaimer Return Postcard  Request for Refund			
Information Disclosure Statement	CD, Number of CD(s)			
Certified Copy of Priority Document(s)	Remarks			
Response to Missing Parts/ Incomplete Application				
Response to Missing Parts under 37 CFR 1.52 or 1.53	•			
under 57 CFR 1.52 0F1.53				
SIGNATU	IRE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name Steven R. Sponseller, Reg. No. 39,384				
Signature Se Sousell				
Date 9-13-	-04			
	CERTIFICATE OF EXPRESS MAILING			

Date

I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as Express Mail, in an envelope addressed to The Commissioner of Patents , Alexandria, VA 22313 on the below-indicated date. The Express Mail No. has also been marked on the listed items.

Typed or printed name

Signature

Carlin Taylor

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. I lime will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent of the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

EVE 16077150

PTO/SB/17 (10-03)								
			c. D.	-44	Approved for use through 07/31/2006, ON	1B 0651-0032		
Under the Paperwork Reduction Act of 1995, no persons are requir	ed_to r	espond t	o.s. Pa to a colle	atent ar ection c	nd Trademark Office; U.S. DEPARTMENT OF of information unless it displays a valid OMB co	ntrol number.		
- Const			Complete if Known					
淨 FEE TRANSMITTAL		Application Number		Numbe	o9/594,221	09/594,221		
for EV 2004		Filing Date			Jun 14, 2000	Jun 14, 2000		
for FY 2004		First Named Inventor		Inven	tor Horowitz	Horowitz		
Effective 10/01/2003. Patent fees are subject to annual revision.		Examiner Name		ame	PHU, PHUONG M	PHU, PHUONG M		
Applicant claims small entity status. See 37 CFR 1.27		Art Unit 2			2631	2631		
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Attorney Docket No. RB1-003US			o. RB1-003US			
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)						
Check Credit card Money Other None	3. A	DDITI	ONAL	. FEE	<u> </u>			
Order Order		Entity						
Denosit	Fee Code		Fee Code	Fee (\$)	Fee Description	Eac Paid		
Account 12-0769	1051		2051		Surcharge - late filing fee or oath	Fee Paid		
Deposit Account Lee & Hayes, PLLC	1052		2052	25	Surcharge - late provisional filing fee or			
Name	1053	130	1053		cover sheet Non-English specification			
The Director is authorized to: (check all that apply)  Charge fee(s) indicated below  Credit any overpayments		2,520	ŀ	2,520 l	For filing a request for ex parte reexamination			
Charge any additional fee(s) or any underpayment of fee(s)		920*	1804	920*	Requesting publication of SIR prior to Examiner action	*		
Charge fee(s) indicated below, except for the filing fee	1805	1,840*	1805		Requesting publication of SIR after			
to the above-identified deposit account.		440	2054		Examiner action			
FEE CALCULATION		110	2251 2252		Extension for reply within first month  Extension for reply within second month			
1. BASIC FILING FEE Large Entity Small Entity	1252 1253		2252		Extension for reply within third month			
Fee Fee Fee Fee Description Fee Paid		1,480	2254		Extension for reply within fourth month			
Code (\$) Code (\$) 1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month			
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal			
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal			
1004 770 2004 385 Reissue filing fee	1403		2403		Request for oral hearing			
1005 160 2005 80 Provisional filing fee		1,510	1451	•	Petition to institute a public use proceeding			
SUBTOTAL (1) (\$) 0.00	1452		2452 2453		Petition to revive - unavoidable			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1,330	2501		Petition to revive - unintentional Utility issue fee (or reissue)			
Fee from Ext <u>ra Claims below Fee Paid</u>	1502		2502		Design issue fee			
Total Claims 20** = X = X	1503	640	2503	320	Plant issue fee			
Claims - 3** = X = X Multiple Dependent	1460	130	1460	130	Petitions to the Commissioner			
	1807	50	1807		Processing fee under 37 CFR 1.17(q)			
Large Entity   Small Entity Fee Fee Fee Fee Fee Description	1806	180	1806		Submission of Information Disclosure Stmt			
Code (\$)   Code (\$)   1202 18   2202 9 Claims in excess of 20	8021	40	8021		Recording each patent assignment per property (times number of properties)			
1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))			
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810		For each additional invention to be examined (37 CFR 1.129(b))			
1204 86 2204 43 ** Reissue independent claims over original patent	180	1 770	2801		Request for Continued Examination (RCE)			
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	Request for expedited examination of a design application			
	Otho	r fee /sn	ecify)					

SUBTOTAL (2) (\$) 0.00  **or number previously paid, if greater; For Reissues, see above		*Reduced by Basic Fil	ling Fee Paid	SUBTOTA	AL (3) (\$) 0.00	
SUBMITTED BY				(Complete	e (if applicable))	
Name (Print/Type)	Steven R. Sponseller	Registration No. (Attorney/Agent)	39,384	Telephon	e (509) 324-9256	
Signature	At kayelle			Date	9-13-64	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No	09/594.221
Filing Date	
Inventorship	
Group Art Ünit	2631
Examiner	Phu, Phuong M
Attorney's Docket No	
Title: Method and Apparatus for Transmitting Data wi	

## **RESPONSE TO OFFICE ACTION DATED JUNE 14, 2004**

To: Commissioner of Patents and Trademarks, P.O. Box 1450
Alexandria, VA 22313-1450

From: Steven R. Sponseller (Tel. 509-324-9256; Fax 509-323-8979) Lee & Hayes, PLLC

421 W. Riverside Ave., Suite 500 Spokane, WA 99201